



DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Robert L. Morgan

State Engineer

1636 West North Temple, Suite 220

Salt Lake City, Utah 84116-3156

801-538-7240

December 22, 1989

Clair Shaw
2520 East 5180 North
Liberty, UT 84310

Dear Mr. Shaw:

RE: Measuring Devices on Pine Tree Ditch
and Shaw Ditch

On June 15, 1988, an ORDER was issued by the State Engineer that you install operating headgates and measuring devices on the Pine Tree Ditch and Shaw Ditch by **March 1, 1989**. No such headgates or measuring devices were ever installed.

You have also been informed that you need to bring title up-to-date on the water rights under which you are diverting the water. You have not done this either. This can be accomplished by providing us with copies of recorded deeds from the owners of record to you. The rights involved and the owners of records are as follows:

| | | |
|---------|---------------------------|-----------------|
| 35-7289 | Charles Rhodes | Pine Tree Ditch |
| 35-7315 | Shaw Land & Livestock Co. | Pine Tree Ditch |
| 35-7316 | John Ward | Pine Tree Ditch |
| 35-7354 | Ariel Shaw | Shaw Ditch |

You are continuing to divert water during the non-irrigation season. All of the rights are for the **irrigation season only** and no water is to be diverted during the non-irrigation season.

If you wish to continue to divert water for uses other than irrigation during the irrigation season as described in the rights on the above named ditches, appropriate change applications must be filed and approved prior to any diversion or use of water.

You are hereby notified that pursuant to Section 73-5-4 of the Utah Code, you must install operable headgates and measuring devices on Pine Tree and Shaw Ditches by **April 1, 1990**.

This letter commences informal proceedings to be conducted pursuant to Rules R625-6 of the Administrative Rules of the Division of Water Rights.

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If you fail to install the headgates and measuring devices as herein described, action will be taken, including, but not limited to, forbidding you from the use of water until such devices are installed or taking necessary legal action through the Utah Attorney General's Office.

I strongly urge you to give this matter your immediate attention. Should you have questions regarding this letter, please contact the Weber Area Engineer or Lee Sim, Directing Engineer over Distribution.

Sincerely,



Robert L. Morgan, P.E.
State Engineer

RLM/JER/11

cc: Attorney General's Office
1636 West North Temple
Salt Lake City, UT 84116

✓ Lee Sim, Directing Engineer
Division of Water Rights
1636 West North Temple
Salt Lake City, UT 84116

E. Blaine Johnson
Water Commissioner
1615 East Shadow Drive
Ogden, UT 84403